

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
LONG DISTANCE ACCESS, INC.,)
) No. 08-0287
Application for a Certificate)
of Interexchange Authority to)
Operate as a Reseller of)
Telecommunications Services)
within the State of Illinois.)

Chicago, Illinois
MAY 20, 2008

Met, pursuant to notice, at 11:00 a.m.

BEFORE:

MS. BONITA BENN, Administrative Law Judge

APPEARANCES:

EARLY, LENNON, CROCKER & BARTOSIEWICZ, by
MR. PATRICK CROCKER
900 Comerica Building
Kalamazoo, MI 49007
Appearing for the Applicant
via telephone.

SULLIVAN REPORTING COMPANY, by
Jennifer L. Velasco, CSR
License No. 084-004030

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- L0
- L1
- L2
- L3
- L4
- L5
- L6
- L7
- L8
- L9
- 20
- 21
- 22

Witnesses: Direct Cross direct cross Examiner

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
---------------	---------------------------	--------------------

1 JUDGE BENN: By the authority granted to me by
2 the Illinois Commerce Commission, I now call Docket
3 08-0287, Long Distance Access, Incorporated. This
4 is an application for a certificate of
5 interexchange authority to operate as a reseller of
6 telecommunications services within the State of
7 Illinois.

8 Counsel for Long Distance Access, would
9 you enter your appearance for the record, please.

10 MR. CROCKER: Yes, your Honor. Patrick Crocker
11 with the law firm of Early, Lennon, Crocker, and
12 Bartosiewicz, B-a-r-t-o-s-i-e-w-i-c-z, with the
13 location of 900 Comerica Building. That's
14 Kalamazoo, Michigan 49007.

15 Today as a witness I have Mr. Jon Greene
16 to provide testimony on behalf of the applicant,
17 your Honor.

18 JUDGE BENN: Mr. Greene, would you please raise
19 your right hand.

20

21

22

1 (Witness sworn.)

2 JON GREENE,

3 called as a witness herein, having been first duly
4 sworn, was examined and testified as follows via
5 telephone:

6 EXAMINATION

7 BY

8 JUDGE BENN:

9 Q Mr. Greene, would you introduce yourself
10 including your name and address for the record.

11 A Jon Greene. Long Distance Access is
12 located at 7300 Hudson Boulevard North, Suite 265,
13 Oakdale, Minnesota 55128.

14 Q May I have your title, please, sir?

15 A I'm the president of the company.

16 JUDGE BENN: Okay. Counsel, you can proceed
17 with your questions.

18 DIRECT EXAMINATION

19 BY

20 MR. CROCKER:

21 Q Mr. Greene, is the purpose of your
22 testimony today to describe the nature of your

1 company business and to demonstrate the company's
2 financial, managerial, and technical ability to
3 provide telecommunications services contemplated by
4 this application?

5 A Yes.

6 Q Could you please briefly describe the
7 nature of the telecommunications services that you
8 intend to offer customers within the State of
9 Illinois?

10 A We would like to offer the consumers in
11 Illinois consumer and business long distance
12 services with rates competitive in the market to
13 give the consumers a different choice of carriers
14 in that area.

15 Q In what state is the company incorporated?

16 A In the State of Minnesota.

17 Q Okay. And is a copy of the articles of
18 incorporation attached as Exhibit B to this
19 application?

20 A Yes, it is.

21 MR. CROCKER: Your Honor, could I move to have
22 the exhibit introduced into the record?

1 JUDGE BENN: So moved, counsel.

2 MR. CROCKER: Thank you.

3 JUDGE BENN: I'm noting that the copy of the
4 articles of incorporation for Long Distance Access,
5 Incorporated, is being entered as Exhibit 1 for the
6 record.

7 (Whereupon, Applicant's
8 Exhibit No. 1 was
9 admitted into evidence as
10 of this date.)

11 MR. CROCKER: Thank you, your Honor.

12 Q Mr. Greene, is the company authorized to
13 transact business as a foreign corporation within
14 the State of Illinois?

15 A Foreign corporation?

16 Q Yes.

17 A I believe so. The foreign corporation
18 threw me there. Corporation in the State of
19 Illinois, yes.

20 Q Is a copy of the company's authority issued
21 by the Secretary of State of the State of Illinois
22 attached along with the articles of incorporation

1 as Exhibit B?

2 A Yes, it is.

3 MR. CROCKER: Your Honor, I'd like to move to
4 have the evidence of authority to transact business
5 entered into the record.

6 JUDGE BENN: I will allow that and note that you
7 are entering as Exhibit 2 to the record the
8 authority to transacts business in Illinois for
9 Long Distance Access, Incorporated, as Exhibit 2.

10 (Whereupon, Applicant's
11 Exhibit No. 2 was
12 admitted into evidence as
13 of this date.)

14 MR. CROCKER: Thank you.

15 Q Mr. Greene, is the company authorized to
16 provide telecommunications services in any other
17 jurisdiction?

18 A Yes, it is, in approximately 11 states
19 currently.

20 Q Would that authorization also include FCC
21 authorization?

22 A That is correct.

1 Q Great.

2 Mr. Greene, could you please briefly
3 describe your background in business and
4 telecommunications?

5 A I've been in business since I've been 18
6 years old. I started my own company back then.
7 I've been in the telecommunication business now for
8 12 years.

9 I have two other long distance companies
10 that I operate underneath a different name. I have
11 a call center that employs over 120 employees that
12 does customer service for Qwest, AT&T, and Verizon.
13 And I attend all sorts of seminars and conferences
14 to stay up to date on all the new technology and
15 services that become available for consumers.

16 Q Mr. Greene, are you familiar with Exhibit C
17 which is attached to the application? Exhibit C is
18 labeled managerial and technical resources.

19 A Yes.

20 Q The top of the exhibit says Jon Greene
21 President LD Access?

22 A Yes.

1 Q Is this information accurate that is set
2 forth in this particular exhibit?

3 A Yes, it is.

4 MR. CROCKER: Your Honor, I'd like to enter into
5 the record Exhibit 3 -- yes, Exhibit 3, the brief
6 description of Mr. Greene's background and
7 experience.

8 JUDGE BENN: I will allow you to enter the
9 background and experience for Jon Greene into the
10 record as Exhibit 3.

11 (Whereupon, Applicant's
12 Exhibit No. 3 was
13 admitted into evidence as
14 of this date.)

15 MR. CROCKER: Thank you, your Honor.

16 Q Mr. Greene, could you also please identify
17 some of your current management team and some of
18 their responsibilities?

19 A By position, by name, or...

20 Q Just by name and by area what they do for
21 you.

22 A Okay. We'll start off with customer

1 service. Customer service is handled by DC
2 Solutions. It's a third party verification company
3 which all scripting complies with all FCC and PUC
4 regulations within the states. It also handles any
5 complaints whatsoever and reports them directly to
6 my assistant which is handled very expediently.

7 Aaron Williams is my sales and
8 operations manager. He has over 10 years'
9 experience in this position. He oversees the basic
10 operations of the company.

11 Jessica Brown is my IT person and
12 reporting. She handles the provisioning,
13 provisioning reports that send out -- she sends out
14 the welcome letters to the customers. She's
15 responsible for the data, the reporting, and she
16 has a couple of assistants underneath her obviously
17 that help her take care of this stuff.

18 Sarah Owens is our QA department. She's
19 in charge of monitoring sales, ensuring compliance
20 with FCC and PUC regulations.

21 As far as the billing aspect, BFG
22 handles all of our LEC billing.

1 JUDGE BENN: Counsel, I have a question at this
2 point. I'm noting for the record on Exhibit A of
3 your application where it's entitled contact
4 persons, you've listed contact persons to work with
5 staff, and all the names are for Jon Greene; but
6 today Jon Greene has named several other persons, I
7 guess, handling these issues.

8 So I wanted to know are you going to
9 intend to amend your application accordingly with
10 the names provided today, and will we be getting a
11 hard copy of that to include into the record?

12 MR. CROCKER: Yes, your Honor.

13 JUDGE BENN: Will you be including that in the
14 record as Exhibit 4?

15 MR. CROCKER: Yes, your Honor.

16 JUDGE BENN: I'll note for the record that
17 you're including the list of the management team as
18 noted by Mr. Greene as Exhibit 4 and that you will
19 provide to us a hard copy of that information to be
20 included into the record as Exhibit 4.

21 MR. CROCKER: Thank you, your Honor.

22 JUDGE BENN: You can proceed.

1 MR. CROCKER: Q Mr. Greene, you touched on
2 all -- what seem to be all the major areas that you
3 need to touch on in terms of running a reseller
4 telecommunications company.

5 One of the things I want to ask you
6 about is your training in college and throughout
7 business, does it include any finance?

8 A Yes, I went to school for business
9 management and finance and also actually did some
10 prelaw classes as well.

11 Q That's great.

12 It's my understanding that you're not
13 going to offer operator services to customers in
14 the State of Illinois, but if at some later date
15 the company does add operator services, will the
16 company comply with the Commission rules concerning
17 the provision of operator services?

18 A Yes.

19 Q And will the company provide
20 telecommunications services to customers in
21 Illinois consistent with the terms, rates, and
22 conditions set forth in the company's approved

1 tariff?

2 A Yes.

3 Q Has the company billed under any other name

4 in the State of Illinois?

5 A No.

6 Q Have the company's financial circumstances

7 adversely changed since we've filed the

8 application?

9 A No.

10 Q And will the company file the FCC's

11 procedures for verifying orders to change long

12 distance service?

13 A Absolutely.

14 Q And could you briefly describe the

15 company's procedure for handling consumer

16 complaints?

17 A If a customer has a complaint, as I

18 mentioned, BFG is our LEC billing company. They

19 put out our customer service number as well as a

20 direct number to reach them. The customer can call

21 either one first. If they call BFG, the call is

22 then routed to us.

1 We handle all customer complaints
2 absolutely to the utmost importance. If a customer
3 has a question about their bill, we explain it to
4 them.

5 If they feel that they have been
6 overcharged in any way whatsoever, typically we
7 just refund them the money and ask them if they
8 wish to continue our service. If not, then we
9 cancel the service. If they do, then we re-explain
10 to them the rates. We give them a onetime courtesy
11 re-rate, so to speak, if there's any question and
12 then move forward. As far as if they're okay with
13 it, then we keep them as a customer. If they're
14 not okay with it, then we terminate them from our
15 service.

16 Q Mr. Greene, I want to refer you to Page 4
17 of the application filed in this matter, and it
18 discusses a specific toll free number,
19 1-866-818-6183.

20 Is that number accurate?

21 A Yes, I believe so.

22 Q I don't know. I didn't --

1 A Yes, it is.

2 Q Okay. That's good.

3 In that answer on Page 4, paragraph 18,
4 it also discusses that if you haven't resolved it
5 to the satisfaction of the customer that you'll
6 refer the call or the caller may contact the
7 Illinois Commerce Commission.

8 Is that accurate as well?

9 A Yes, it is.

10 Q Mr. Greene, I just have a question on
11 whether you have had any formal complaints levied
12 against this company by any PUC or FCC?

13 A No, never.

14 MR. CROCKER: Your Honor, I don't have any
15 further questions at this time.

16 JUDGE BENN: Okay. I have a few questions for
17 you, Mr. Greene.

18 FURTHER EXAMINATION

19 BY

20 JUDGE BENN:

21 Q First of all, will the corporation name as
22 it appears on the application be the same name

1 that's going to be used for the certificate of
2 authority in this matter?

3 A Yes.

4 Q And I'm not sure if you mentioned this
5 before. Are there any assumed names or doing
6 business names for the corporation?

7 A No.

8 Q Is the corporation requesting permission to
9 maintain its books and records outside of Illinois
10 pursuant to 83 Illinois Admin Code Part 250?

11 A Yes.

12 Q And where will those books and records be
13 maintained?

14 A At the headquarters of Long Distance Access
15 which is 7300 Hudson Boulevard North, Suite 265,
16 Oakdale, Minnesota 55128.

17 Q Since the filing of this application, has
18 any of the information on the application changed?

19 A No.

20 Q Is the corporation aware of all federal and
21 state provisions regarding slamming and cramming?

22 A Yes.

1 Q Please describe what your procedures will
2 be to prevent slamming and cramming of customers.

3 A Currently we have a QA department that
4 actually calls in and monitors all the salespeople.
5 We also do call-backs where once the customer goes
6 through third party verification, we call the
7 customer back and verify that they indeed want the
8 service. I think we go a little bit beyond what
9 normal companies do to ensure that.

10 Q Does the company intend to adhere to the
11 provisions for slamming and cramming offered by the
12 federal and state?

13 A Yes.

14 Q Finally you testified previously that the
15 corporation intends to provide operator services;
16 is that correct?

17 A It does not intend to provide operator
18 services.

19 Q Does not intend to provide at this time.

20 Is it going to provide the same in the
21 future?

22 A It's a possibility, your Honor, but right

1 now I don't know.

2 Q Okay. Then I'll strike my next question.

3 Counsel, do you have anything else for
4 the record?

5 MR. CROCKER: No, your Honor.

6 JUDGE BENN: Okay. Well, then I will recommend
7 to the Commission that an order granting the
8 certificate of authority be entertained at the next
9 bench date, and I'll mark the record heard and
10 taken.

11 (HEARD AND TAKEN.)

12

13

14

15

16

17

18

19

20

21

22